

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DINO P. GIORDANA,

Plaintiff,

v.

Case No. 05-C-1354

JO ANNE B. BARNHART,

Defendant.

ORDER

Plaintiff has filed an action for court review of a decision rendered by the Commissioner of Social Security. Ordinarily, a plaintiff must pay a statutory filing fee of \$250 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff, however, has requested leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *See Neitzke v. Williams*, 490 U.S. 319, 324 (1989). Under § 1915, an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and the affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, I am satisfied that plaintiff meets the poverty requirements of 28 U.S.C. § 1915. Plaintiff is

unemployed and has minimal assets. He asserts that he has no regular income and \$25.00 in monthly expenses. Under these circumstances, the court will waive the \$250 filing fee.

THEREFORE, IT IS ORDERED that plaintiff's request to proceed in forma pauperis is **GRANTED**. The clerk is ordered to serve a copy of the complaint and this order on the Commissioner of Social Security.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by the plaintiff in this action.

Dated this 4th day of January, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge